



PATENT APPLICATION
ATTNY. DOCKET NO.: 47099-00135USPT

**RULES 63 AND 67 (37 C.F.R. 1.63 and 1.67)
DECLARATION AND POWER OF ATTORNEY**

FOR UTILITY/DESIGN/CIP/PCT NATIONAL APPLICATIONS

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; and

I believe that I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **Cup Holder Having Frusto-Conical Cavities**, the specification of which:

- ___ (a) is attached hereto.
- X (b) was filed on July 17, 2003 as Application Serial No. 10/621,817.
- ___ (c) was filed as PCT International Application No. PCT/___ on ___ and was amended on ___ (if applicable).
- ___ (d) was filed on ___ as Application Serial No. ___ and was issued a Notice of Allowance on ___.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment referred to above or as allowed as indicated above.

I acknowledge the duty to disclose all information known to me to be material to the patentability of this application as defined in 37 CFR § 1.56. If this is a continuation-in-part (CIP) application, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability of the application as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119 and/or § 365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which my priority is claimed or, (2) if no priority is claimed, before the filing date of this application:

PRIOR FOREIGN PATENTS

<u>Number</u>	<u>Country</u>	<u>Month/Day/Year Filed</u>	<u>Date first laid-open or Published</u>	<u>Date patented or Granted</u>	<u>Priority Claimed</u> <u>Yes No</u>
NONE					

I hereby claim the benefit under 35 U.S.C. §§ 119(e), § 120 and/or § 365 of any United States application(s) listed below and PCT international applications listed above or below:

PRIOR U.S. OR PCT APPLICATIONS

NONE

(Application Serial No.)

(Filing Date)

(Status)

I hereby appoint:

ROBERT L. ABDON, Reg. No. 50,996
TIMOTHY G. ACKERMANN, Reg. No. 44,493
J. BENJAMIN BAI, Reg. No. 43,481
JOSEPH M. BEAUCHAMP, Reg. No. 46544
NORMA BENNETT, Reg. No. 51,229
MICHAEL D. BERGER JR., Reg. No. 52,616
MARY JO BOLDINGH, Reg. No. 34,713
MARGARET A. BOULWARE, Reg. No. 28,708
DANIEL J. BURNHAM, Reg. No. 39,618
SORINEL CIMPOES, Reg. No. 48,311
JASON W. COOK, Reg. No. 48,456
ANDREW G. DINOVO, Reg. No. 40,115
STUART D. DWORK, Reg. No. 31,103
VALERIE K. FRIEDRICH, Reg. No. 39,676
JANET M. GARETTO, Reg. No. 42,568
MARK J. GATSCHET, Reg. No. 42,569

JOHN C. GATZ, Reg. No. 41,774
RUSSELL J. GENET, Reg. No. 42,571
ANIL V. GOLLAHALLI, Reg. No. 48,996
LEKHA GOPALAKRISHNAN, Reg. No. 46,733
STEVEN R. GREENFIELD, Reg. No. 38,166
J. PAT HEPTIG, Reg. No. 40,643
SHARON A. ISRAEL, Reg. No. 41,867
JOHN R. KIRK JR., Reg. No. 24,477
PAUL R. KITCH, Reg. No. 38,206
TIMOTHY M. KOWALSKI, Reg. No. 44,192
MICHAEL W. MADDOX, Reg. No. 47,764
ROGER L. MAXWELL, Reg. No. 31,855
LISA H. MEYERHOFF, Reg. No. 36,869
ASHLEY N. MOORE, Reg. No. 51,667
STANLEY R. MOORE, Reg. No. 26,958
DANIEL G. NGUYEN, Reg. No. 42,933

CONSTANCE M. PIELECH, Reg. No. 46,991
GREGORY PORTER, Reg. No. 40,131
ROSS T. ROBINSON, Reg. No. 47,031
STEPHEN G. RUDISILL, Reg. No. 20,087
JERRY R. SELINGER, Reg. No. 26,582
ZACHARY J. SMOLINSKI, Reg. No. 47,100
JUSTIN SWINDELLS, Reg. No. 48,733
STEVE Z. SZCZEPANSKI, Reg. No. 27,957
ANDRE M. SZUWALSKI, Reg. No. 35,701
ALAN R. THIELE, Reg. No. 30,694
CYNTHIA K. THOMPSON, Reg. No. 48,655
TAMSEN VALOIR, Reg. No. 41,417
BRIAN D. WALKER, Reg. No. 37,751
HAROLD N. WELLS, Reg. No. 26,044
WILLIAM D. WIESE, Reg. No. 45,217


all of the firm of **JENKENS & GILCHRIST, a Professional Corporation**, 225 West Washington Street, Suite 2600, Chicago, IL 60606-3418, as my attorneys and/or agents, with full power of substitution and revocation, to prosecute this application, provisionals thereof, continuations, continuations-in-part, divisionals, appeals, reissues, substitutions, and extensions thereof and to transact all business in the United States Patent and Trademark Office connected therewith, to appoint any individuals under an associate power of attorney and to file and prosecute any international patent application filed thereon before any international authorities, and I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization who/which first sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct them in writing to the contrary.

Please address all correspondence and direct all telephone calls to:

John C. Gatz, Esq.
Jenkins & Gilchrist, P.C.
225 West Washington Street, Suite 2600
Chicago, IL 60606-3418
312/425-3900
312-425-3909 (fax)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAMED INVENTOR(S)

1	Richard C. Sweeney		8/20/07
	Full Name	Inventor's Signature	Date
	53 Pleasant Hill Road, Falmouth, ME 04105	United States	
	Residence (city, state, country)	Citizenship	
	53 Pleasant Hill Road, Falmouth, ME 04105		
	Post Office Address (include zip code)		